

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
 Washington, D.C. 20554

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FEB 24 1998

FEDERAL COMMUNICATIONS COMMISSION  
 OFFICE OF THE SECRETARY

In the Matter of )  
 )  
 Amendment of the Commission's )  
 Regulatory Policies to Allow Non- )  
 U.S. Licensed Space Stations to )  
 Provide Domestic and International )  
 Satellite Service in the United States )  
 )  
 and )  
 )  
 Amendment to Section 25.131 of the )  
 Commission's Rules and Regulations to )  
 Eliminate the Licensing Requirement )  
 for Certain International Receive-Only )  
 Earth Stations )  
 )  
 and )  
 )  
 COMMUNICATIONS SATELLITE )  
 CORPORATION Request for Waiver of )  
 Section 25.131(j)(1) of the Commission's )  
 Rules As It Applies to Services Provided )  
 Via the INTELSAT K Satellite )  
 )

IB Docket No. 96-111

CC Docket No. 93-23 RM-7931

File No. ISP-92-007

To: The Commission

**REPLY OF SKYBRIDGE L.L.C. ON THE OPPOSITIONS TO  
 THE PETITION FOR RECONSIDERATION AND CLARIFICATION**

Skybridge L.L.C. ("Skybridge"), by its attorneys, hereby replies to the oppositions to the various petitions for reconsideration and/or clarification of the Commission's Report and Order<sup>1/</sup> in the above-captioned proceeding.

On January 5, 1998, ICO Global Communications' ("ICO") filed a Petition for Clarification and Reconsideration ("Petition") of the Report and Order, in which ICO expressed concern regarding, inter alia, the Commission's statement that "when considering a request for authority to use a non-U.S. space station to serve the

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<sup>1/</sup> FCC 97-399, released November 26, 1997.

U.S. market, we must apply the same qualification criteria with respect to the foreign space station as we do for a U.S. licensed space station,"<sup>2/</sup> in order to ensure that "unrestricted entry by foreign-licensed satellite systems [does not] vitiate our orbit efficiency policies."<sup>3/</sup> In ICO's view, this policy could lead to the imposition of unnecessary regulation on certain foreign space stations entering the U.S. market.

On February 17, 1998, SkyBridge filed "Comments" on ICO's Petition. SkyBridge emphasized that it was concerned that the imposition of unnecessary regulation on foreign space stations could have significant adverse consequences for U.S. licensees entering foreign markets, and sought assurance that the Commission would be sensitive to this issue in formulating its regulatory policies.

In their February 17, 1998, "Opposition" to ICO's Petition, Loral Space & Communications Ltd. and Globalstar, L.P. (collectively "Loral")<sup>4/</sup> took issue with ICO's interpretation of the Report and Order. Loral emphasized that, in the Report and Order, the Commission specifically had noted that it "will not... require entities to file financial information if the non-U.S. licensed satellite is in-orbit, or to file technical data when the international coordination process for the non-U.S. satellite has been completed."<sup>5/</sup>

Skybridge agrees with Loral that the segment of the Report and Order quoted in its Opposition represents by far the more rational approach to this issue. Once a satellite system licensed by a WTO country has been launched and

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<sup>2/</sup> Id. at ¶ 159.

<sup>3/</sup> Id.

<sup>4/</sup> Loral Opposition (filed February 17, 1998) at 5-6.

<sup>5/</sup> Report and Order at ¶ 191.


coordinated, generally there is no need for further Commission review of its financial or technical qualifications. SkyBridge's point here, and in its prior Comments, is that all interested parties would benefit from an affirmation that this is, in fact, the Commission's view as well.

### CONCLUSION

U.S. satellite systems are likely to receive treatment from other WTO member countries which mirrors that accorded by the United States to those foreign states' satellite systems. The Commission should clarify that it is not its intent to require the relicensing of satellite systems previously licensed by WTO member states, but generally to accept the regulatory conclusions of other WTO member countries, to the extent the processes employed to reach those conclusions are reasonably comparable to the Commission's.

Respectfully submitted,

SKYBRIDGE L.L.C.

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February 24, 1998

**CERTIFICATE OF SERVICE**

I, Kathleen W. Arnold, certify that the foregoing Reply of Skybridge L.L.C. on the Oppositions to the Petition for Reconsideration and Clarification was served by first-class mail, postage prepaid, on February 24, 1998, on the following:

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